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C O N F I D E N T I A L SECTION 01 OF 02 HARARE 001067

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TAGS: PGOV PHUM PREL ZI ZANU PF

SUBJECT: COSMETIC ELECTORAL REFORMS EMERGING

REF: (A) HARARE 1018 (B) HARARE

Classified By: Political Officer Win Dayton under Section 1.5 b/d

¶1. (SBU) SUMMARY: Electoral law changes proposed by the ruling party last week appear to be attempts to project a more level political playing field without jeopardizing the party's absolute grip on power in the run-up to next March's scheduled parliamentary elections. The proposals provide for a new electoral commission that would still be controlled by the President and changes to certain technical aspects of election administration. They would do nothing to alter media controls, patterns of political violence, suppression of freedoms of association/assembly, or heavy restrictions of political campaigning by the MDC.

¶2. (U) The official "Herald" reported on June 26 that the politburo had approved on June 25 proposals submitted by Minister for Justice, Legal and Parliamentary Affairs Patrick Chinamasa for revision of the nation's electoral laws and processes. The proposals included the composition of a new Zimbabwe Electoral Commission that would be "publicly funded and accountable to Parliament but independent of Government." However, its chief electoral officer and five commissioners would be appointed by the President -- the chairman in consultation with the Judicial Services Commission and the four other commissioners from a list of seven names submitted by Parliament. The Commission would supervise voter registration; organize and conduct presidential, parliamentary, and council elections; and be responsible for accrediting observers. The article noted also that it would "monitor the organization and operation of all political parties, including their finances." It would hire its own staff.

¶3. (U) It remains unclear the extent to which the proposal would affect the four agencies involved in election administration: the Registrar-General, The Electoral Supervisory Commission, the Delimitation Commission, and the Election Directorate. The official press reported that the Registrar-General's role would be significantly reduced but it would continue to conduct voter registration, and the Delimitation Commission would continue its functions. An "ad hoc court" would be established to address any disputes arising from an election within six months. The proposal reportedly included a host of changes to technical aspects of election administration, many apparently designed to streamline the voting process at polling stations. The number of polling centers would increase, the use of mobile polling stations would cease, translucent ballot boxes would be used, and elections would be conducted in one day.

¶4. (U) Nothing is suggested to abolish the Public Order and Security Act (POSA) or Access to Information and Protection of Privacy Act (AIPPA), which have been the principal means to prevent opposition political activity and to shut down independent press. Repeal of these repressive laws was a key element of MDC demands for election reform.

¶5. (SBU) NGO contacts advise that the ruling party consulted with some members of civil society in formulating its program. However, it did not appear to consult formally with the MDC nor did it go back the UN to pick up on its standing offer to help in electoral reform and to prepare election conditions. The opposition MDC has not responded officially to the proposals yet, although the independent "Standard" newspaper quoted MDC Secretary-General Welshman Ncube as claiming the proposed reforms represented the fruit of MDC pressure domestically and abroad. He reportedly asserted that the reforms met many of the party's demands but that the opposition would resist appointment of the commission chairman by the President.

¶6. (C) MDC MP Silas Mangano told poloff June 28 that the MDC would take some time to put together a formal vetted response and cautioned that any individual member reactions should not be taken as a party response. He forecast that the proposal would probably be introduced into parliament in July (confirming UNDP Resrep information; ref B) and passed within a month. He expected that the MDC delegation would offer

amendments in an effort to beef the proposals up but that ZANU-PF was unlikely to budge on anything more than non-substantive changes. He concluded that the changes would do little to cut into ZANU-PF's decisive advantage in the run-up to the March elections but that the MDC would have little choice but to go along. He conceded the possibility raised by some parliamentary observers that the election could be pushed back as late as June to permit passage and implementation of the proposals.

17. (C) COMMENT: The ruling party is not complacent over recent by-election victories in Lupane and Zengeza, and the politburo's attention to minute details of election administration underscores the party's obsession with the March elections. As politburo member and ZANU-PF "moderate" Simba Makoni confided to the Ambassador June 18 (ref A), the party will be careful not place their election "reforms" onto a slippery slope. Factions squabble over power within ZANU-PF but there is no support anywhere in the ruling party for meaningful alteration of a rulebook that assures their collective electoral triumph. This modest effort is geared to advance the party's modest charm offensive with a long-term view to rehabilitating its international image (ref B), but not at any expense of its overarching objective to remain in power.

18. (U) COMMENT (CONT'D): ZANU-PF further tipped its hand in early state media coverage by blasting the SADC-Parliamentary Forum, which had prepared electoral norms and standards and criticized Zimbabwe's 2002 elections, as donor-funded and directed. Dismissing SADC-PF, the state media claimed that SADC member states were circulating their own draft election standards in advance of the August SADC Summit in Mauritius.

19. (C) COMMENT (CONT'D): The reforms present a tactical dilemma for the opposition. The proposals borrow from some of the MDC's list of electoral demands (originally circulated as 15 but pared back to five). As such, GOZ propagandists and diplomats can be expected to present them to domestic and international audiences as evidence of ruling party "good will" and "compromise." The MDC leadership recognizes the reforms for what they are, but will be loath to reject them out of hand for fear of giving the official press and Mugabe apologists in the region a pretext to marginalize the opposition as "obstructionist." The reforms and the party's posture toward them are unlikely to arrest the continued slide in the MDC's political fortunes.

SULLIVAN